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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/572,589	03/20/2006	Yasuharu Yamauchi	287501US8PCT	2738

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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER
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CHEN, SHIN HON

ART UNIT	PAPER NUMBER
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2431

NOTIFICATION DATE	DELIVERY MODE
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10/15/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/572,589	<b>Applicant(s)</b> YAMAUCHI ET AL.	
	<b>Examiner</b> SHIN-HON CHEN	<b>Art Unit</b> 2431	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claims 1-28 have been examined.

#### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 6/20/06 is being considered by the examiner.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Kragt et al. U.S. Pub. No. 20070100755 (hereinafter Kragt).

5. As per claim 1, Kragt discloses a content reproduction apparatus comprising: a storage section used for storing a source-ID list showing a source of every content allowed to be reproduced (Kragt: [0019]: indicate whether contents are protected) and method identification information each used for identifying a method of controlling reproduction of each content (Kragt: [0019]: determine which digital rights management system is employed); a reproduction control method determination section for determining a method of controlling reproduction of a

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content on the basis of said method identification information (Kragt: [0019] lines 12-19: determine access controlling method); a first reproducibility determination section, which is used for producing a result of determination as to whether or not a content to be reproduced is reproducible by determining whether or not a source ID attached to said content is a source ID included in said source-ID list in case said reproduction control method determination section determines that said method to control reproduction of a content is a first reproduction control method (Kragt: [0019]: determine if the content item is protected based on the digital rights management; [0022]); a second reproducibility determination section, which is used for producing a result of determination as to whether or not a content to be reproduced is reproducible on the basis of usage rule information described in a license issued to said content in case said reproduction control method determination section determines that said method to control reproduction of a content is a second reproduction control method (Kragt: [0023]: access rights associated with the user to access content items); and a reproduction execution section for reproducing a content with its source ID determined by said determination result produced by said first reproducibility determination section or said second reproducibility determination section to be a reproducible content (Kragt: [0031]).

6. As per claim 2, Kragt discloses the content reproduction apparatus according to claim 1. Kragt further discloses wherein said source ID includes a group ID generated as an ID unique to each of users registered in a group management server (Kragt: [0029]).

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7. As per claim 3, Kragt discloses the content reproduction apparatus according to claim 2.

Kragt further discloses wherein a group ID for a user making a request for transmission of a content from a content distribution server to a content-processing apparatus is added to said transmitted content (Kragt: [0028]).

8. As per claim 4, Kragt discloses the content reproduction apparatus according to claim 1.

Kragt further discloses wherein said source ID includes a recorder ID generated as an ID unique to each content-processing apparatus having a ripping section for ripping out a content from a recording medium (Kragt: [0017] and [0028]).

9. As per claim 5, Kragt discloses the content reproduction apparatus according to claim 4.

Kragt further discloses wherein said content-processing apparatus having a ripping section attaches said recorder ID assigned to said content-processing apparatus itself to said content ripped off from said recording medium (Kragt: [0028]).

10. As per claim 6, Kragt discloses the content reproduction apparatus according to claim 1.

Kragt further discloses wherein said usage rule information includes limit information of the number of times said content can be reproduced (Kragt: [0029]).

11. As per claim 7, Kragt discloses the content reproduction apparatus according to claim 1.

Kragt further discloses wherein said usage rule information includes a deadline of a period in

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which said content can be reproduced (Kragt: [0029]).

12. As per claim 8, Kragt discloses the content reproduction apparatus according to claim 1. Kragt further discloses said content reproduction apparatus further comprising a communication section for setting a connection to a content-processing apparatus and communicating with said content-processing apparatus, wherein said content-processing apparatus is capable of updating said method identification information (Kragt: [0030]).

13. As per claim 9, Kragt discloses the content reproduction apparatus according to claim 1. Kragt further discloses said content reproduction apparatus further comprising a display section for displaying the title information of one or more contents held in said content reproduction apparatus, wherein said display section displays title information of contents determined by said first reproducibility determination section or said second reproducibility determination section to be reproducible contents and title information of contents determined by said first reproducibility determination section or said second reproducibility determination section to be irreproducible contents in such a way that said title information of said reproducible contents can be distinguished from said title information of said irreproducible contents (Kragt: [0027]-[0029]).

14. As per claim 10, Kragt discloses the content reproduction apparatus according to claim 9. Kragt further discloses said content reproduction apparatus further comprising a content select section for selecting at least one from those displayed on said display section as title information of reproducible contents, wherein: said storage section is used for storing content management

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information associating the title information of every content with location information at which said content has been stored; and said reproduction execution section reads out a content indicated by title information, which is selected by said content select section, on the basis of said content management information and reproduces said content (Kragt: [0031]).

15. As per claim 11, Kragt discloses the content reproduction apparatus according to claim 9. Kragt further discloses wherein said display section displays title list information of contents determined to be reproducible contents with a color and/or a degree of luminance, which are different from those for irreproducible-content title information also shown on said title list as contents determined to be irreproducible contents (Kragt: [0031]).

16. As per claim 12, Kragt discloses the content reproduction apparatus according to claim 9. Kragt further discloses wherein said display section displays title list information of contents determined to be reproducible contents and title information of contents determined to be irreproducible contents in such a way that said reproducible contents and said irreproducible contents can be distinguished from each other (Kragt: [0022]-[0024] and [0031]).

17. As per claim 13, Kragt discloses the content reproduction apparatus according to claim 9. Kragt further discloses wherein said display section displays a title list adding different icons to title information of contents determined to be reproducible contents and title information of contents determined to be irreproducible contents, respectively (Kragt: [0022]).

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18. As per claim 14, Kragt discloses the content reproduction apparatus according to claim 1. Kragt further discloses said content reproduction apparatus further comprising a communication section for setting a connection to a content-processing apparatus and communicating with said content-processing apparatus, wherein said resource-ID list stored in said storage section is updated on the basis of a source-ID list owned by said content-processing apparatus when said content reproduction apparatus is registered through said content-processing apparatus in the same apparatus group in a group management server as said content-processing apparatus (Kragt: [0030]).

19. As per claim 15, Kragt discloses the content reproduction apparatus according to claim 1. Kragt further discloses said content reproduction apparatus being a portable content reproduction apparatus having a hard-disk drive (Kragt: [0016]).

20. As per claim 16-28, claims 16-28 encompass the same scope as claims 1-15. Therefore, claims 16-28 are rejected based on the same reason set forth above in rejecting claims 1-15.

### ***Response to Arguments***

21. Applicant's arguments filed 8/31/09 have been fully considered but they are not persuasive.

Regarding applicant's remarks, applicant mainly argues that the prior art of record does not explicitly disclose reproduction control method determination section and reproduction execution section. However, applicant's argument as stated in the remarks is not fully supported

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by the claims because the claims appear to be directly translated from a foreign publication and the steps disclosed in the claims do not clearly demonstrate the concept the argument is directed toward. Therefore, the examiner has rejected the claims based on broadest reasonable interpretation and applicant is welcome to contact the examiner to expedite prosecution.

### ***Conclusion***

22. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHIN-HON CHEN whose telephone number is (571)272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shin-Hon Chen  
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